

S E C R E T

MINUTES

CIA RETIREMENT BOARD MEETING

2:00 p.m., 18 January 1966

PRESENT: Mr. Emmett D. Echols

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Mr. Alan M. Warfield

25X1A9a

- Chairman
- DDP Member
- DDP Member
- DDP Member
- DDI Member
- DDS Member
- DDS&T Member
- Legal Adviser
- Technical Adviser
- Finance Adviser
- Recording Secretary
- Executive Secretary

1. The minutes of the last meeting of the Board were reviewed and approved as presented.

2. The Board reviewed 99 cases of employees who had been nominated for designation as participants in the System, and 1 request for voluntary retirement. It took action as follows:

a. Recommended designation as participants of the following named employees with 15 or more years of Agency service, provided they would elect to remain in the System if so designated:

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Group 1

Excluded from automatic down-
and declassification

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b. Recommended designation as participants of the following named employees who will complete 15 years of Agency service on the dates indicated:

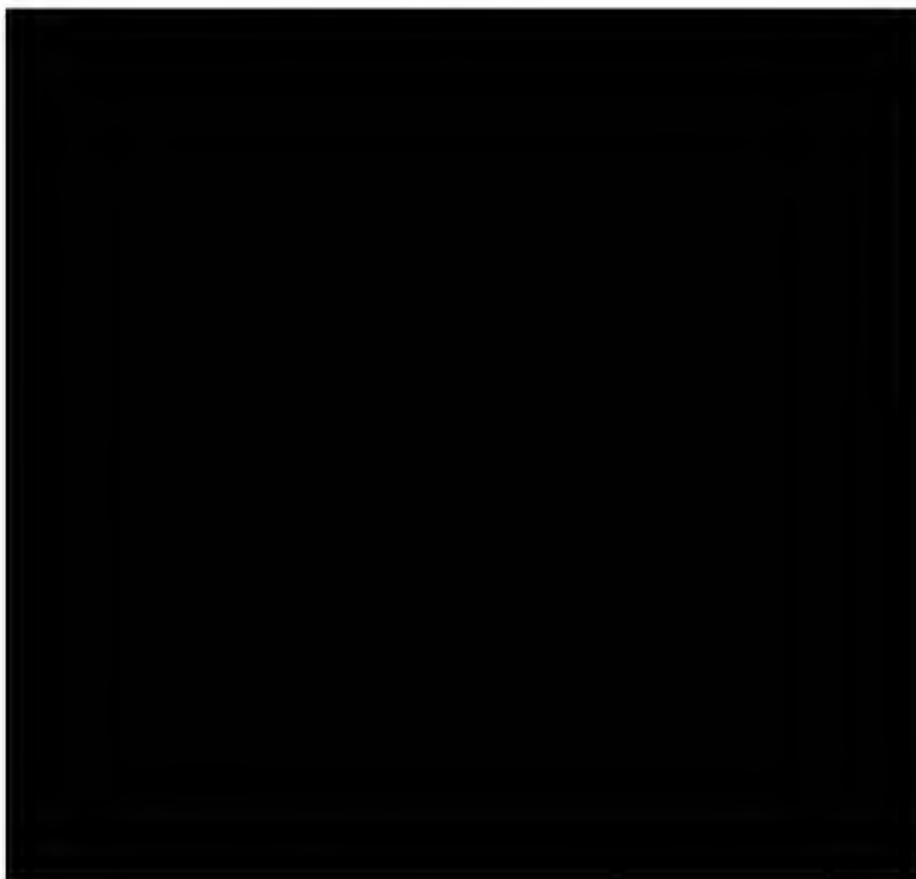
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4 Jun 1966
16 Apr 1966
1 May 1966
9 Jul 1966
28 May 1966
24 May 1966
9 Jul 1966
3 May 1966
6 Jul 1966
8 Jul 1966
5 Mar 1966
30 Apr 1966

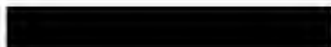
c. Recommended the following named employees for designation as participants in the System:

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d. Recommended approval of the request for voluntary retirement received from the following named participant:

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Effective Date
31 August 1966

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3. The Chairman reviewed a proposal of the Clandestine Services Career Service which would establish a policy of granting deferrals of up to an additional two years for those CSCS officers under the CIA Retirement System who were in grades GS-17 and below and who were 57 years of age or older as of 13 October 1964, and who would otherwise be subject to mandatory retirement at age 60. The Chairman stated that the CSCS proposal was based upon the premise that such employees had expected to be able to remain in Agency employment until age 62 under the Agency-wide policy on retirement, and that suddenly placing them in the CIA Retirement System at this point in their careers, wherein they would be subject to mandatory retirement at age 60, would be upsetting as far as their retirement plans and would be an unfair denial of their reasonable expectations based upon prior policy. The Chairman stated that he was not unmindful of the fact that plans were suddenly being changed for such employees, but that he could not in good conscience, based upon the terms of the statute and the argumentation that the Agency presented to members of Congress for the Agency retirement plan, agree to permit individuals to enter the CIA Retirement System, earn up to two more years of salary, and still retire with the improved benefits of the CIA system when in each case the individual would have the means to decline to become a participant in the CIA system if he desired to do so. The Chairman stated that the CSCS did not agree with the rationale of his posture on this matter and had requested that it be presented to the Board for discussion.

25X1A9a The Chairman invited [REDACTED] to comment. [REDACTED] 25X1A9a
stated that he thought that it was the policy of the Board in cases involved in the transitional stage to construe liberally in favor of the annuitant, and for that reason he felt that this category of cases fell within that general policy.

After considerable discussion of this matter there was general agreement that the group action as proposed by the CSCS was at variance with the implementation of the Civil Service retirement policy as applied by the Agency, and that a decision to extend the services of an employee being nominated for the CIA system should be based upon operational necessity, as opposed to hardship, and that requests for such extensions should be handled on a case by case basis.

25X1A9a 4. The Chairman called attention to a proposed clarifying revision of paragraph 12.c. of the Employee Bulletin pertaining to the CIA Retirement System brought about by an appeal submitted by [REDACTED] on the basis that he would have a larger annuity under the Civil Service Retirement System. The Chairman stated that an annuity under the Civil Service Retirement System at age 62 as opposed to age 60 is always going to be larger, and that the language of paragraph 12.c., "--that a participant may, not later than one year prior to his retirement, apply to be removed from the system and transferred to the Civil Service Retirement System provided his annuity would be larger under the Civil Service Retirement System", was incorrect. There was general agreement that there had been a misstatement of fact which should be corrected and that the original intent had been that the higher annuity must be based upon a participant having 36 years and 10 months or more of service at age 60 (or age 65, if applicable) as opposed to the higher annuity being based upon a change in the retirement date. After several minor changes had been suggested, the Chairman stated that he would present a new draft of the proposed revision at the next meeting of the Board.

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5. In reviewing three nominations submitted by the Domestic Contact Service, the Chairman called attention to the following statement in the memorandum submitted by the Head of that Career Service:

"Although not now serving on a career basis in a field which normally requires the performance of qualifying service as an integral part of a career in that field, we request that a determination be made by the CIA Retirement Board as to whether the individuals listed below meet the criteria specified for designation as participants in the CIA Retirement System."

The Chairman noted that in each of the three cases submitted the individuals had completed more than 60 months of qualifying service, but only one had completed 15 years or more of Agency service. Following a discussion of this matter there was a consensus that:

a. The Board would look favorably upon the designation of Agency employees on duty at the time of enactment of the Act, or at the time of initial review, who had completed 15 years or more of Agency service and 60 months or more of qualifying service, regardless of whether or not they were then "serving on a career basis in a field which normally requires the performance of qualifying service as an integral part of a career in that field."

b. As a practical interpretation of the regulation, Agency employees who had already completed 60 months of qualifying service and who had been in a posture in which they were available for overseas, could be admitted to the System regardless of whether or not they were then "serving on a career basis in a field which normally requires the performance of qualifying service as an integral part of a career in that field."

c. Heads of Career Services be instructed to proceed on the basis that any Agency employee who has completed 60 months of qualifying service and continues to respect the terms of his service agreement, regardless of what his immediate duties may be, may automatically be classified as "serving on a career basis in a field which normally requires the performance of qualifying service as an integral part of a career in that field."

The Chairman stated that he would obtain a formal ruling from the Office of General Counsel that they saw no impediment in the existing regulations or statutes to the above interpretations and, if affirmative, he would proceed in drafting a proper notification to Heads of Career Services.

6. The Chairman called attention to a problem that he considered most urgent, i.e., whether or not the Agency-wide policy on early retirement applied to employees under either the Civil Service or the CIA Retirement Systems. He stated that under Agency policy 60 and 62 were our top retirement ages, whereas under the CIA Retirement System for employees in grade GS-18 and above the mandatory retirement age is 65. The Chairman questioned as to why the normal Civil

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25X1A9a Service retirement age policy should not be the standard one for the CIA Retirement System as well, and that to the best of his knowledge such question had never been raised. [REDACTED] stated that he was raising such question now, and that it was one for which an answer was needed. The Chairman stated that he would take the initiative to obtain such an answer.

25X1A9a 7. In connection with the "Criteria for Crediting Domestic Qualifying Service" item that had been deleted from the Agenda for this Board meeting, [REDACTED] stated that he hoped to have the revised criteria ready for presentation early next week. It was agreed that a special meeting of the Board would be held on Tuesday, 25 January 1966, for the purpose of reviewing such criteria.

8. The meeting adjourned at 3:50 p.m.

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[REDACTED]
Executive Secretary

25X1A9a * The designation of [REDACTED] was recommended with the proviso that formal personnel action effecting his designation be suspended until it was known that the DCI had approved the request of the Clandestine Services Career Service for an extension of his services from his mandatory retirement date of 31 May 1966 until 31 August 1967.

** Designation was recommended with the proviso that the Director of Personnel re-affirm that there was no legal impediment to such employee becoming a participant in the System. Employee was nominated by the Domestic Contact Service on the basis that he had completed 60 months or more of qualifying service, although he was not now serving on a career basis in a field which normally requires the performance of qualifying service as an integral part of a career in that field.